

**City of Charlottesville
Board of Architectural Review
November 18, 2003**

Minutes

Present: Also Present:

Joan Fenton, Chair Mary Joy Scala
Lynne Heetderks, Vice Chair
Wade Tremblay
Preston Coiner
Joe Atkins
Allison Ewing
Syd Knight
Cheri Lewis
Katie Swenson

Ms. Fenton convened the meeting at 4:54 p.m.

A. Matters from the public

Ms. Fenton then called for matters from the public not on the agenda. There were none.

B. Certificate of Appropriateness Application (Deferred from Oct. 21, 2003)

**BAR 03-10-02
107 1st Street South
Tax Map 28 Parcel 19
Add Patio**

The Terraces/Gravity Lounge

Hampshire Investments, Applicant

Ms. Scala gave the staff report. The application had been deferred in order for the applicant to submit a more detailed site plan. The proposal is to add one additional step to the top of the existing stairs; the patio would slope down toward the Mall. The patio floor would meet the Mall at the same elevation. An emergency drainage system -- a catch basin and underground pipe -- would collect overflow storm water from the existing roof drains. The flow would be released near the corner of the existing planter wall. A small planter would be constructed around the grated area for concealment and protection. The applicant wants to proceed with the patio, but requests indefinite deferral of the previous request to paint the brick wall and to hang a canvas mural. Staff recommends that the information provided looks fine, but additional information has been requested on the finished slope of the patio and to see an elevation drawing of the wall. Final elevation drawings were provided to the Board members.

Ms. Fenton called for questions from the public. There being none, she closed that portion of the public hearing and called for questions from the Board.

Mr. Knight asked if the applicant had had an engineer look at the proposal. The applicant concurred; she also stated the engineer was Brian Smith.

Ms. Fenton called for comments from the public and then the Board.

Ms. Lewis stated it would be a nice improvement and that it would solve the problem with grading and drainage. She thanked the applicant for coming back with the plans.

Ms. Ewing stated she would be willing to approve with a stipulation that the additional staff requirements be approved by staff with the stipulation that it be consistent with the existing treatment of metal railing and brick.

Ms. Ewing made a motion to approve the application subject to staff approval of the elevations of the brick wall and railing, in that they be consistent with the existing walls and railings of the Terraces. Ms. Lewis seconded the motion. The motion carried unanimously.

C. Certificate of Appropriateness Application

BAR 03-11-05

400-402 East Market Street

Tax Map 53 Parcel 55

Renovations

Stephen Cadogen, Applicant

Ms. Scala gave the staff report. The applicant proposes to install four new Thermo pane, double hung, arched, one-over-one, wood windows. These will replace two existing windows and two original window openings will be reopened. The new windows will match the original openings. The applicant also proposes to remove the existing wall sign on the Market Street facade and to install two new rectangular awnings over the twin storefronts. The awnings will be sunbrella cloth in black and white stripes. Staff recommends approval of the new windows, noting they will match the flattened arch of the existing brickwork. Staff recommends approval of the awnings as proposed.

Ms. Fenton recognized the applicant, Stephen Cadogen. Mr. Cadogen explained that the windows on the Fourth Street facade would be a wood exterior, which would be painted white to match the windows above them.

Ms. Fenton called for questions from the public and the Board.

Ms. Heetderks noted that the original windows on the second floor were rectangular with a wood panel to fill in the arched space. She asked if the applicant had considered using that configuration. Mr. Cadogen explained that he was the tenant and was only leasing the first floor. He stated that the assumption was the original windows were arch topped.

Ms. Fenton called for comments from the public and the Board.

Mr. Tremblay stated it was very consistent with the guidelines. He further stated it was a good adaptation of reopening windows.

Mr. Tremblay made a motion to approve as submitted. Mr. Coiner seconded the motion. The motion carried unanimously.

D. Certificate of Appropriateness Application

BAR 03-11-06

909 West Main Street

Tax Map 31 Parcel 168

Add Deck

Asian Express

Gabe Silverman, Applicant

Ms. Scala gave the staff report. The property had been before the Board in March of 2003. The applicant proposes to build a new treated-wood deck in the space on the west side of the building. The deck would be 7 feet by 32 feet. The proposal would move the existing rail from the side of the front porch to the front of the deck. A new brick wall will fill in the space under the deck in the front. Wood columns would match existing columns. A 2X6 overhead trellis is planned. A new doorway is proposed to replace the existing window on the west side of the restaurant. The rear of the deck would have a matching rail with wood screening material above. The new building code requires that the deck should not exceed half the length of the wall and that it be constructed of fire retardant treated wood. Staff feels it meets that requirement and recommends: building the deck and trellis as freestanding construction that does not damage the brick wall of the building; if the window is original to the building, it should not be replaced with a door; the wood columns and rails should be painted to match the other woodwork.

Ms. Fenton asked if the applicant had anything to add. Mr. Silverman did not.

Ms. Fenton asked if all Board members had received the letter submitted by Preservation Piedmont.

Ms. Fenton called for questions from the public and the Board.

Ms. Fenton called for comments from the public and the Board.

Ms. Heetderks cited Section 34-284(b) of the City Code which states that "in considering a particular application, the Board of Architectural Review should approve the application unless it finds: 1) that the proposal does not meet specific standards or/and, 2) the proposal is incompatible with the historic, cultural, architectural character of the district or the protected property." She did not think this sort of addition was compatible with the residential nature of the structure. She recognized that nature had already been severely compromised by the changes that happened on the first floor. She saw this addition as adding insult to injury.

Ms. Heetderks then questioned Ms. Scala if wooden decks had not been an issue with Southern Culture. Ms. Fenton stated the Board had previously opposed treated lumber on Awful Arthur's. Ms. Scala stated there was nothing specific about decks and had been unaware of the previous issues.

Mr. Coiner concurred with Ms. Heetderks.

Mr. Tremblay expressed a different perspective. Although the building had originally been a residence, it was on a primary commercial street in the City and had been used for commercial purposes for a number of years. He stated it was a reasonable adaptation of a residence for a commercial purpose. He stated the addition, with the exception of the door, was easily removable and would not affect the house in the future, which met the Guidelines.

Mr. Knight sought additional information on the issue of treated wood. Ms. Fenton stated her recollection of the issue was the Board of Architectural Review not wanting to have treated lumber that was visible as treated lumber. Mr. Tremblay asked if it would be visible considering the elevation of the deck. Ms. Fenton stated that would be an issue for the Board of Architectural Review. However, her understanding was that if it could be seen, it was not a compatible material. The applicant explained that they had not proposed treated lumber; it had been a suggestion to meet the fire code.

Ms. Ewing asked what material comprised the porch. The applicant explained it was concrete with blue stone. She then asked if they would consider doing concrete with blue stone for the deck. The applicant concurred, adding that it did not make much sense.

Mr. Atkins entered the meeting, 5:25 p.m.

Mr. Tremblay sought confirmation that the facade which would be seen from the street would be a brick face consistent with the house. Mr. Silverman concurred.

Ms. Heetderks acknowledged that the Board looked kindly on adaptive reuse, but thought there was a significant difference between adaptive reuse and appropriate adaptive reuse. She stated it was not the Board's responsibility to bend over backwards to accommodate an applicant who wants to do something with the building that is not fundamentally suited to the nature of the building. She stated the building was one of the few remaining pre-Civil War era structures. Because she had received phone calls from irate members of the public following the decision to allow additional openings to be punched into the first floor, she felt it would be unconscionable of the Board to allow the removal of a window to be replaced by a door since the Guidelines say do not change the number, location, size or glazing pattern of the windows by cutting new openings, blocking in windows or installing replacement sash that does not fit the window opening.

Mr. Atkins, apologizing for his late arrival, asked if Mr. Silverman had described the situation where the front of the deck was pushed backwards. Mr. Silverman stated it was back to the beginning of the slab to allow for continuity of the brick.

The applicant sought clarification on the comments about being inconsistent with residential use since the building, when purchased, was all commercial use. Ms. Heetderks stated the building was a residential style of architecture; it had been constructed as a residence. She recognized it had not continued to be a residence. She stated that the past commercial interests that had used the building had largely maintained the integrity of the exterior of the structure.

Ms. Ewing felt it was not within the Board's purview to approve the application based on the Guidelines.

Mr. Tremblay made a motion to approve the addition of the porch as described with the brick front consistent with the house with appropriate decking material, which would be left open for the Board to consider at a future date; this motion did not include any mention of the window. Ms. Swenson seconded the motion. Ms. Lewis, while supporting the motion, was in agreement with the letter from Preservation Piedmont; she did not feel the addition would structurally change the building in the way it had been changed a year before. The motion carried with a vote of 6-3 with Ms. Heetderks, Ms. Ewing and Mr. Coiner voting against. Ms. Fenton reiterated that the motion called for the applicant to submit the decking material to the Board of Architectural Review for approval before being put in.

Mr. Tremblay made a motion to allow the applicant to replace the existing window with a door consistent with the look of the window, meaning either a 15- or 18-light wooden door, in recognition of its virtual invisibility from the street and the practical use and application it gives the owner to continue using the space as a restaurant. Mr. Atkins seconded the motion. Ms. Heetderks asked if Mr. Tremblay wanted to reference a Guideline in the motion; Mr. Tremblay stated his reference was the adaptive reuse of the historic structure. Ms. Lewis stated it was a difficult decision since the guidelines say a larger hole cannot be punched into the building. The motion failed with a 3-6 vote with Mr. Tremblay, Mr. Atkins and Ms. Swenson voting for.

Ms. Fenton informed the applicant he had the right to appeal the decision against the door to City Council within ten days. City Council will meet on January 29th.

E. Certificate of Appropriateness Application

BAR 03-11-01

317 E. Main Street

Tax Map 33 Parcel 228

Facade Renovation

Splendora's Gelateria

Bushman Dreyfus, LLC (Cathy Cassety)

Ms. Scala gave the staff report. The proposal is to renovate the existing facade. The storefront window would be enlarged to a 12-foot height. A fixed mahogany window would be recessed 12 inches from the facade. The entryway would be narrowed with the addition of solid wall between storefront and door. The entry features a glass canopy supported by two stainless steel angles. A new mahogany door and sidelight with transom will be recessed 4 feet, 6 inches from the facade and will have dark bronze hardware. The existing stucco finish will be replastered with stucco

with a warm Tuscan orange color. Also proposed is a 16-foot wall sign. The applicant also proposes internally lit color accents. Staff supports retaining the two bay configurations as proposed, enlarging the fenestration with recessed mahogany storefront window, redesigning the entryway. The use of true stucco and limestone is recommended. Administrative approval of the actual material and color samples is requested. The wall sign size, bronze channel letters and halo lighting are recommended. The internal lighting of the color circles is not permitted in the historic district.

Ms. Fenton recognized the applicant, Jeff Bushman, to add to Ms. Scala's report.

Mr. Bushman, of Bushman Dreyfuss Architects, stated he had been talking with the building inspector, Tom Elliott, about the sidelight for the door. An 18-inch sidelight was needed to meet ADA rules; he sought an option to use a full width door without a sidelight. He then addressed the internal illumination of the sign. The intention had been to do a halo lit sign; a possibility suggested by staff was to use colored halo lights.

Ms. Fenton called for questions from the public. There being none, she called for questions from the Board.

Mr. Coiner thanked the applicant for all the research and information provided to the Board of Architectural Review. He then sought an explanation of the stainless steel supports on the transom. Mr. Bushman explained that it was a simple support for the glass canopy; it was similar to the triangulated supports for a canvas awning. Mr. Coiner asked if it would protrude into the Mall; it would not since the door was recessed.

Ms. Fenton called for comments.

Ms. Lewis thanked the applicant for the thorough submission.

Mr. Knight thought the building fit the guidelines nicely with its tasteful design and would be a nice addition to the Mall.

Ms. Lewis made a motion to approve the building facade as submitted, excepting out the sign, with the option of either a full door or door and sidelight in the entryway on the right bay and with staff approval for colors to come back. Mr. Knight seconded the motion. The motion carried unanimously.

Ms. Fenton then called for comments on the sign.

Ms. Heetderks asked if there was a definition of internal lighting. Ms. Scala stated there was no definition she knew of, but it would be a translucent sign that was lighted through. Ms. Heetderks then asked if the applicant would be willing to use opaque, colored circles. Mr. Bushman stated that would be fine in terms of color, but the letters would not be legible.

Mr. Atkins felt the sign was not internally illuminated based on the positioning.

Ms. Ewing made a motion to approve as submitted subject to approval by the Zoning Administration. Ms. Lewis seconded the motion. Ms. Fenton asked if she would change the wording to "compliance with the regs as understood by the Zoning Administrator." Ms. Ewing agreed and restated her motion as a motion to approve as submitted, subject to compliance with the Zoning regulations. Ms. Lewis seconded the amended motion. Mr. Coiner expressed concern about the amount of colors. Ms. Heetderks stated the Guidelines allow for no more than three colors under normal circumstances, but in tasteful ways, more colors may be considered. Ms. Fenton felt it was a tasteful sign and stated she could support it. Mr. Knight felt the sign functioned as an internally lit sign. Ms. Fenton called the question. The motion carried 8-1 with Mr. Knight voting against.

F. Certificate of Appropriateness Application

BAR 03-11-07

105 Ridge Street

Tax Map 29 Parcel 20

Renovations

Music Resource Center

Gabe Silverman, Applicant/ RBGC, Architects

Ms. Scala gave the staff report. The applicant intends to replace the existing Plexiglas panels covering the stained glass. They will be replaced with clear Lexan panels attached in the same manner as the existing Plexiglas. The applicant requests approval: to install fixed metal security gates on nine basement windows; to replace existing wood doors to the basement in the south alley with new wood and glass door with transom and sidelight; and to remove existing double doors to the basement in the north alley and replace with a double hung window; to install a new ADA accessible ramp in the south alley for access to the basement; replace an existing stair with a new stair. Staff felt the security grates are fairly unobtrusive in the basement location and should not detract from the character of the site. Staff has suggested the applicant consider placing the grates inside the windows; if impossible, the exterior location on the basement level is acceptable. The proposed south alley door will be more attractive and is more faithful to the original door arrangement with the wood side jamb panels. The proposed new window to replace the doors in the north alley is acceptable because the existing doors are not important in defining the building's overall historic character. The new ramp, stair and railing are placed unobtrusively on the side and have been designed to be compatible with the site and the district. The adaptive use of the building will allow the historic landmark continued use and enjoyment and benefit for the community.

Ms. Fenton recognized Ms. Martha Rowan with RBGC Architects.

Ms. Rowan provided the Board with a sample of the clear Lexan. She also provided full-scale drawings of the proposed replacement window. Ms. Rowan brought to the attention of the Board grading issues of the north alley. They propose to make it all the same height to allow for drainage, as there are some water problems for that corner of the building.

Ms. Fenton called for questions from the public and then the Board.

Ms. Ewing sought clarification that regrading the north alley would not affect the windows or door. Ms. Rowan concurred.

Mr. Knight asked if some of the stucco would remain. Ms. Rowan concurred.

Mr. Knight then asked if any risers of the stairs would be covered as part of the regrading process. Mr. Jack Horn, of Martin Horn Construction, explained that water would be piped from the downspouts underneath the walkway and steps into a storm drain.

Ms. Swenson sought clarification on the reasoning for replacing the door with a window. Ms. Rowan explained that it was an office and security was of high importance. She further stated it was not a functional door.

Ms. Swenson then asked if the door remained how drainage would be solved. Ms. Rowan stated a retaining wall would have to be built.

Mr. Coiner asked if the upper horizontal piece of the security gate could be raised closer to the sash. Ms. Rowan and Mr. Horn concurred.

Ms. Heetderks asked if there was a way to install the bars on the interior of the windows. She was told that the rooms were being treated for acoustics, which makes it difficult.

Mr. Atkins sought clarification about the 1-inch square baluster for the ramp and asked if the applicant would consider a smaller profile steel bar. Mr. Horn thought they would do it out of the lightest material practical. Ms. Rowan stated they would make the slimmest stock. Mr. Horn clarified that it would still meet Code as far as load requirements. Ms. Heetderks asked if there would be any way to dress them up a little bit by echoing the decorative elements of the fence in the front. Ms. Rowan stated they could be dressed up; however, she felt the historic element should be left to be historical and that attention not be called to the new. She also felt it would be costly to duplicate the historical.

Ms. Fenton called for comments from the public.

Ms. Cathy Cassety stated she was enthusiastic about the project, which was reviving the historic structure in such a marvelous way.

Ms. Fenton called for comments from Board members.

Ms. Lewis made a motion to approve as submitted. Mr. Tremblay seconded the motion. Ms. Heetderks expressed concern about a motion, which allowed for approval "as submitted." Ms. Lewis withdrew her motion.

Mr. Coiner asked that whoever made the motion would address the design of the security grates as discussed.

Mr. Atkins made a motion to approve the application: specifically for items 1 and 2, the standing seam metal roof exterior woodwork painted to match; the existing Plexiglas, based on the submittal shown with the long standing life and ultraviolet against discoloring; that the installation of the security grates roughly to match the existing, taking into account the comments made by Mr. Coiner adjusting the horizontal bars to as closely match the rails of the window as possible; the replacement of the existing double doors with a replacement double hung window with the option of a new sash and jamb frame or the sash replaced with the stucco and new sill below raising the grade some 20 inches, which solves the drainage problem and eventually comes to meet the bottom of the stairs; including the ramp, referencing comments made about lightening the pickets of the rail to be more in keeping with the design of the fence in front; and including item 4, the replacement of the existing door with a new door. Mr. Knight seconded the motion. Ms. Fenton called the question. The motion carried unanimously.

Ms. Heetderks stated that this was an example of sensitive adaptive reuse in contrast to the earlier adaptive reuse.

Ms. Fenton asked the Board to allow a member of the public to speak rather than making him wait. The Board concurred.

I. Matters from the public (please limit to 5 minutes)

Mr. Robert Nichols came before the Board regarding the parking lot at Fifth and Water Streets. The project had been before the Board of Architectural Review before; however, the project has changed hands. He asked that the Board's reaction and concerns be expressed to him over the next few weeks. The project would have retail on the ground level, parking would be above that with two levels of residential condominiums above that; a third level of residential condominiums would be set back 15 feet. Mr. Coiner sought clarification of the parking. Mr. Nichols explained there was a tall parapet above the retail level and an inverse parapet for the portions above; this creates a gap in the building, which would allow parking access from Fifth Street. Ms. Fenton, remembering the previous presentation, felt Mr. Nichols proposal was a vast improvement. Mr. Knight felt it was a promising direction. Ms. Heetderks had felt concern over the previous submittal being dwarfed by the C&O Building and appreciated that the new proposal took that into consideration. Ms. Fenton felt that dark metal detailing worked better with a dark glass. Ms. Ewing expressed concern that the coloring drew one's eyes to the parking area. Ms. Lewis stated a desire to see the retail openings along Water Street look more like the C&O and the old Canal Building to carry the theme down the street. Ms. Fenton reminded Mr. Nichols he could call upon Board members as he worked on the design.

Ms. Fenton asked that the Board approve the minutes and go through other business before having a five minute break and joining the Urban Design Committee meeting. The Board concurred.

H. Approval of Minutes (October 21, 2003)

Mr. Coiner moved for approval of the minutes. Ms. Lewis seconded the motion, which carried unanimously.

J. Other Business

Ms. Ewing expressed a concern that proposals should not come before the Members without meeting certain standards since it was a waste of time to not have adequate submittals. Mr. Coiner suggested having a work session to decide what would be necessary for a submittal.

Mr. Coiner expressed concern about an Art in Place sculpture at the east end of the Mall since he did not think there had been Board of Architectural Review approval. Ms. Fenton also did not think approval had been granted.

Mr. Coiner stated there had been a preservation conference in Norfolk over the previous weekend, which he and Ms. Scala had attended. He stated that Charlottesville ranked high among localities in terms of guidelines and rules of procedure.

Ms. Fenton recessed the meeting so the members could join the Urban Design Committee in the Neighborhood Development Services Conference Room.

G. Joint discussion with Urban Design Committee

Streetscape Designs by WRT Associates for Fourth Street Southeast from Water Street to CSX tracks (BAR) and from CSX tracks to Garrett Street (UDC). The designs will be presented at the meeting.

The Board of Architectural Review members joined the meeting in progress.

Mr. Tolbert explained that Second and Fourth Street were on the agenda for the evening. Discussion had begun with the section under UDC jurisdiction.

Mr. Tolbert stated the Fire Department would like to have unlimited access every other side street at a minimum or one north, one south.

The recommendation of WRT was to have a common theme to tie the side streets together; therefore, the lighting would all be the same coming off the Mall. Intersection lights would be different than the pedestrian lights. Court Square would have its own lighting; lighting would blend around Fifth Street.

The intent is to bring the Mall visually down to Water Street and create more of a pedestrian access rather than vehicular.

Mr. Knight sought information regarding the reasoning behind making the parking spaces of stamped asphalt as opposed to asphalt. Mr. Tolbert explained that WRT felt it set apart as a different part of town.

Mr. Tolbert explained that WRT would recommend different lighting on the Mall and that the side streets are different and that West Main is different at the University to give zonal effects.

Concerns were expressed about the use of stamped asphalt, which would wear out quickly and does not look good. It would require redoing and repainting. Ms. Fenton stated that a loose aggregate was used in Williamsburg and was holding up nicely.

The UDC felt the BAR should make decisions regarding the lighting fixtures since the fixtures would be coming off the Mall. Additional data was requested about the light fixtures. Mr. Tolbert explained that shielded lights would have to be used. Mr. Tolbert also suggested getting WRT to come back with other lights.

UDC concerns were over the photometry on the lighting, the stamped asphalt of the parking, wider sidewalks with no zigzags, and possibly the trees.

Mr. Tolbert addressed the Board of Architectural Review members about the portion of Second Street from Water Street to the Mall. The concept was to place a flat area outside of Live Arts as well as other locations. Driving would be allowed up to the Mall; a 12-foot minimum travel way would be maintained for emergency vehicles. The flat area is on the borderline of meeting ADA requirements. Flat and ramped areas would be available if people did not want to take steps. A cost estimate of \$500,000 had been received for doing a mixture of concrete and brick.

Ms. Heetderks wanted an explanation as to why concrete would be used rather than asphalt. Mr. Tolbert stated they were trying to get away from asphalt.

Ms. Ewing wanted more areas of planting.

Ms. Lewis sought information as to the uses of the terraces. Mr. Tolbert explained that space could be rented out on the terraces.

Ms. Lewis expressed concern that the elevations and terraces would not give a clear of view to activity on mall. She was concerned any improvements along Second Street would impede drawing people up Second Street to Mall.

K. Adjournment

Ms. Fenton called for a motion to adjourn the Board of Architectural Review.

Ms. Lewis so moved to adjourn to a restaurant. Ms. Heetderks seconded the motion. The motion carried unanimously whereupon the Board of Architectural Review meeting stood adjourned at 7:25 p.m.